

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

KIRSHA BROWN-YOUNGER,

Plaintiff,

vs.

SOCIAL SECURITY ADMINISTRATION,

Defendants.

Case No. 2:11-cv-00506-GMN-CWH

ORDER

This matter is before the Court on Plaintiff's Motion for Service (#41), filed July 12, 2012. Plaintiff is proceeding *pro se* and, on July 12, 2011, the Court granted her motion to proceed *in forma pauperis* and screened Plaintiff's initial complaint pursuant 28 U.S.C. § 1915(e). (#32). As a result of screening, the Court entered an order dismissing the complaint without prejudice and instructing Plaintiff to file an amended complaint by August 8, 2011. (#32). Plaintiff filed her amended complaint on August 9, 2011. Plaintiff now requests that the Court order service of her complaint by a United States marshal pursuant to Federal Rule of Civil Procedure 4(c)(3).

The Court has reviewed the request and finds that it is premature. Notwithstanding IFP status or the payment of partial filing fees, the Court must subject each civil action commenced pursuant to 28 U.S.C. § 1915(a) to mandatory screening and order the sua sponte dismissal of any case it finds "frivolous, malicious, failing to state a claim upon which relief may be granted, or seeking monetary relief from a defendant immune from such relief." 28 U.S.C. 1915(e)(2)(B). This mandates that courts reviewing an action filed pursuant to the IFP provisions of section 1915 must screen amended complaints prior to directing the United States Marshal to effect service pursuant to Rule 4(c)(3) or permitting service on opposing parties. *Deere v. Brown*, 2011 WL 5323234 (S.C. Cal.) (citations omitted). Thus, before the Court will order service in this case, it will first screen Plaintiff's amended complaint (#36).

1 Based on the foregoing and good cause appearing therefore,

2 **IT IS HEREBY ORDERED** that Plaintiff's Motion for Service (#41) is **denied**.

3 DATED this 22nd day of August, 2012.

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7 **C.W. Hoffman, Jr.**
8 **United States Magistrate Judge**
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